

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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April 6, 2004

FROM: Patrick J. Mead, Interim Director
Department of Public Works – **Solid Waste Management Division**

SUBJECT: AMENDMENT NO. 16 TO CONTRACT NO. 01-237 WITH BURRTEC WASTE INDUSTRIES, INC.

RECOMMENDATIONS: Approve Amendment No. 16 to Contract No. 01-237 with Burrtec Waste Industries, Inc. [Burrtec], in the amount of \$55,625.01 for repairs to the Heaps Peaks Transfer Station, which were required as a result of the Old Waterman Canyon Fire [Old Fire] that began on October 25, 2003.

BACKGROUND INFORMATION: On March 27, 2001, the Board approved Contract No. 01-237 with Burrtec for the operations and maintenance [O&M] of San Bernardino County active and inactive landfills and transfer stations for a term of seven (7) years beginning July 1, 2001. The Board has approved fifteen (15) previous amendments to the contract.

On October 25, 2003, the Old Fire started on Waterman Canyon Drive in the City of San Bernardino. The Grand Prix Fire that initially erupted in the northern portion of the City of Fontana on October 21, 2003, soon combined with the Old Fire. The fire spread into the mountains of San Bernardino County and swept through the County Solid Waste System facility known as the Heaps Peak Transfer Station [HPTS] on October 28, 2003. The HPTS was severely damaged and not operational. In order to serve the needs of the public, the site had to be made safe for workers and then repaired and brought back into service as expeditiously as possible.

SWMD Management felt it was appropriate to have Burrtec handle the repairs to the Transfer Station. Burrtec's O&M contract has provisions for them, as the contractor, to make repairs and keep certain facilities operational. In fact, some of the required repairs were the contractual responsibility of, and were paid for by, Burrtec. Burrtec had the ability to respond quickly to the need for securing the site and making it safe for workers, assessing the damages [in conjunction with SWMD operation staff], and moving forward with the repairs needed to bring the facility back into operation as quickly as possible.

The HPTS serves an average of 474 vehicles per day with a daily average of 271 tons of waste coming into the facility for transfer. Additionally, the HPTS serves an average of 32 vehicles per day with a daily average of 202 tons of bark beetle wood waste being delivered to the chipping facility operated by Burrtec Waste Industries, Inc. These figures are based upon the first 16 days of operation in March 2004. The site is, under normal circumstances, operational from 8:00 a.m. to 4:30 p.m. Monday through Saturday. Due to the damages from the fire, the HPTS was closed starting October 28, 2003. In order to have the HPTS operational at the earliest possible time to provide the affected communities with services, Burrtec proceeded with the necessary repairs.

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AMENDMENT NO. 16 TO CONTRACT NO. 01-267 WITH BURRTEC WASTE INDUSTRIES, INC.

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The HPTS was reopened to commercial haulers on November 3, 2003 and reopened to all customers on November 10, 2003.

SWMD is requesting approval of this amendment that will authorize payment to Burrtec in the amount of \$55,625.01 for the cost of repairs to the HPTS.

REVIEW AND APPROVAL BY OTHERS: This item was reviewed by Deputy County Counsel Robert L. Jocks, 387-5435, on March 18, 2004; and the County Administrative Office (Tom Forster, Administrative Analyst, 387-4635) on March 25, 2004.

FINANCIAL IMPACT: The cost of services under this Amendment, in the amount of \$55,625.01, will be financed from SWMD's Enterprise Fund [Fund: EAA, Dept: SWM, Org: OPS, Object: 2885]. The SWMD anticipates that FEMA will reimburse 75% of this amount and that the California Office of Emergency Services (State OES) will reimburse 75% of the remaining 25%, or 18.75% of the total cost. At this time, it is anticipated that the final cost to the SWMD will be 6.25% of the total, or \$3,476.56.

COST REDUCTION REVIEW: The County Administrative Office has reviewed this agenda item and concurs with the Department's proposal and recommends this action based on the following: as a result of the Old Fire Disaster of October 2003, the Heaps Peak Transfer Station sustained severe damage and was not operational. In order to serve the needs of the public, the site had to be made safe for workers and then brought back into service as expeditiously as possible.

SUPERVISORIAL DISTRICT(S): All

PRESENTER: Peter H. Wulfman, 386-8703

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